

Policy #:  
Effective Date:  
Board Approval:

## **FAMILY AND MEDICAL LEAVE**

The Autism Society of Maine complies with Maine's Family Medical Leave Requirements Act and makes leave-related protections available to eligible employees, as defined below.

Any employee who has completed twelve (12) consecutive months of employment with The Autism Society of Maine is eligible for Family Medical Leave (FML) benefits. Individual circumstances will, in part, determine what rights an employee may have under this policy, and specific eligibility questions should be directed to the Human Resources Department. If you are deemed eligible, you may take up to 10 weeks of unpaid family or medical leave during any two-year period. This constitutes the combined total amount of leave that can be taken during a two-year period for any and all qualifying reason(s).

Under this policy, leave can be taken if:

- You or your spouse, domestic partner, child, domestic partner's child, parent, or sibling who lives with you, has a serious health condition
- You, your spouse or your domestic partner are giving birth to a child (covers both fathers and mothers)
- You, your spouse or your domestic partner is adopting a child who is 16 or younger
- You are donating an organ for transplant

Maine law defines "serious health condition" as one that requires a hospital stay or continuing treatment.

A "domestic partner" has lived with you for at least 12 months, is your sole partner, and shares financial, living, and other arrangements.

The amount of leave available is up to ten (10) weeks, taken either consecutively or intermittently. This is unpaid leave and no benefits will be earned while the employee is on this leave. Any employee has the option to use accrued benefit time for this leave.

Payment of your medical/dental premium will continue to be paid. It is your responsibility to make arrangements to pay any dependent portions owed on a monthly basis.

Employees will be required to submit medical certification from a health care provider to support a request for family medical leave under this policy for the serious health condition of the employee or the employee's spouse, child, grandchild or parent. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition. Additional information may be required as set forth on the certification forms. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide notice within two (2) business days, when foreseeable, of the employee's changed circumstances and new return to work date.

The employee must give at least 30 days notice of the intended date upon which family medical leave will begin and terminate unless prevented by medical emergency. Failure to give appropriate notice of the need for family medical leave could result in the denial of such leave.

Each employee requesting FML must complete a Leave Request Form. Approval must be obtained by the immediate supervisor and the Executive Director before FML will be granted.

If the employee's job can be left vacant or filled with a temporary person, this is the action The Autism Society of Maine will take. If the employee's job cannot be left open due to the nature of the position, a comparable position will be offered when the employee returns to work.

Before the employee returns to work from a family medical leave for the employee's own serious health condition, the employee will be required to provide a fitness-for-duty medical certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work. If such certification is not received, the employee's return to work may be delayed until the certification is provided or employment may be terminated.

For purposes of determining how much FML an employee has used and what amount of FML remains available, The Autism Society of Maine will apply a "rolling" 24 - month period measured backward from the proposed beginning date of the employee's requested leave period.

The rights described in this Policy will not be available to any employee who requests leave on fraudulent grounds or who abuses leave policies. Employees may not obtain employment with another employer while they are on family medical leave. Under such circumstances, the employee may face termination of employment.